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Justice

International Ladies' Garment Workers' Union  
(ILGWU)

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6-1-1963

## Justice (Vol. 45, Iss. 11)

International Ladies Garment Workers Union (ILGWU)

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### Keywords

International Ladies' Garment Workers' Union, ILGWU, labor unions, clothing workers, textile workers, garment workers, garment industry, New York, United States

### Comments

*Justice* was the official publication of the International Ladies' Garment Workers' Union ILGWU from 1919 to 1995. Editions of *Justice* were published in English, Italian, Spanish, and Yiddish. When compared side by side, the content of some of these different editions of *Justice* shows significant differences. This is the English-language edition of *Justice*.

# NLRB Castigates Judy Bond-UGW Coercion, Orders Reinstating of 10 'Evicted' in Brewton

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## JUSTICE

INTERNATIONAL LADIES' GARMENT WORKERS' UNION

Vol. XLV, No. 11

Jersey City, N.J., June 1, 1963

Price 10 Cents

## N.Y. STATE BODY DROPS ANTI-ILGW CASE

### AN EDITORIAL

### Investigate This Shameful Spectacle!

THE 2-YEAR ATTEMPT TO SMEAR THE ILGWU with a charge of racial discrimination burst like a bubble on the third day of a public hearing before the New York State Commission for Human Rights.

For 9 months—since July 1, 1962—Local 10 insistently demanded the public hearing to which it was entitled by law. Only at such a hearing could it properly rebut the charge by Ernest Holmes, made on April 4, 1961, that he had been denied membership in the cutters' local because of his color.

The commission continuously delayed holding of such a hearing. But on May 15, 1963 the union finally got its chance.

On that day some 200 Spanish-speaking and Negro members of Local 10 crowded the hearing room, ready to testify in defense of their union. Before any one of them was called and in the midst of the cross-examination of the first of the commission's witnesses by union attorney Emil Schlesinger, the case against Local 10 fell apart.

That first, and only, witness was Holmes himself. In less than one day of cross-questioning he was tied up in knots of contradictions over dates, facts, allegations. With increasing frequency he pleaded inability to remember.

Last February, he turned down aid offered him by Local 10. At that time he asked the commission to withdraw his complaint against the cutters' local. The commission refused.

But on May 17, seeing their case crumble in the public hearing, the commission's lawyers urged Holmes to withdraw and sought a way to save face. When Schlesinger insisted he would continue his examination of Holmes unless all parties, including Holmes, would join in acknowledging the ILGWU was not guilty, the lawyers surrendered.

The joint stipulation they signed withdraws the charges that Holmes was denied membership on account of his color and that Local 10 has a policy of limiting admissions to membership by race.

It recognizes that Holmes was not entitled to membership because he was not—and still is not—a qualified cutter.

It agrees that "in line with its oft-asserted regular and general policy as adopted by Conventions of the ILGWU from its very inception, against dis-

(Continued on Back Page)

### After 2-Year Delay Finds Local 10 Not Guilty of Job Discrimination

Approximately 200 Spanish-speaking and Negro members of Cutters' Local 10 crowded the hearing room of the New York State Commission for Human Rights on the morning of May 15 ready to testify in behalf of their union, which had been denied until that morning the opportunity to refute in public the charge of racial discrimination.

Within 3 days, by May 17, the case against the ILGWU local had been so thoroughly punctured as to force the man who made the initial charge—Ernest Holmes—and the men who pressed it—the lawyers for the commission—to plead for a settlement.

The case that began on April 4, 1961 was terminated by a joint stipulation made by Holmes, the commission and Local 10. In it, the charges against the ILGWU affiliate were dropped and full acknowledgment was made that Holmes was denied membership in Local 10 because he was not a cutter—and not because of his race or color.

The case crumbled under the withering cross-examination of Holmes by union attorney Emil Schlesinger. Throughout the 3 days, Local 10 Manager Moe Falkman and Assistant Manager Abe Dolgen sat at the counsel table with Schlesinger, consulting frequently on the developing argument.

The hearing was conducted before three commissioners: J. Edward Conway who presided, Francis X. Glaccone and Lloyd L. Hurst. The commission consists of 7 commissioners, 3 of whom conduct a hearing. At the start of a case, when a complaint has been filed, the commission names one of its own 7 as investigating commissioner. In the Holmes case Ruperto Ruiz was so named and conducted the investigations of the ILGWU affiliate.

While the ILGWU local was represented by one attorney, the commission side, acting in behalf of Holmes, was made up of a corps of half a dozen lawyers. On several occasions resumption of the hearings was delayed as attorneys for the parties met in conference. The ILGWU took the position that only complete exoneration could provide the basis of a stipulation ending the proceedings. (Text of stipulation, Page 11).

The commission's attorneys finally agreed to this condition while Holmes, the first and only witness, was still under cross-examination. They called a halt before questioning by Schlesinger was completed and before the union had had a chance to put on the stand Manager Falkman, other officers or any of the 200 members who had rallied at the hearing on its opening day and were afterwards told that they might be called at any time in the future.



Some of the 200 Spanish-speaking and Negro members of Local 10 show their union membership books just before start of public hearing May 15 at New York

State Commission for Human Rights. They came to testify in behalf of local but were unable to do so because charge of discrimination was dropped 2 days later.

# Tax Cuts, Rights, Jobs, Organizing on AFL-CIO Agenda

A tax cut and increased government expenditures to invigorate the economy, an equal employment opportunities law to insure equality for all Americans, and a foreign aid program to provide for the nation's security and promote a free democratic world emerged as the major themes of the spring meeting of the AFL-CIO Executive Council held last month in St. Louis.

The council singled out for special attention the widespread unemployment among Negro workers and urged all federation affiliates "to bend every effort" to alert the nation to the "special economic and social dangers inherent in today's unbelievably high unemployment rate among Negroes." This task, said the council, "bears one of the highest priority labels of the federation's program."

The council also received reports of progress in internal operations with a sharp drop in the number of cases filed under the internal disputes machinery; plans for a coordinated organizing drive in the Baltimore-Washington area patterned after the Los Angeles organizing program; and significant cooperation and progress in the West Coast operation.

In the economic field, the federation said that labor will oppose "any tax reduction policy

that fails to concentrate its benefits among low and middle-income taxpayers—that fails to focus on creating jobs and reducing unemployment."

"The AFL-CIO is not afraid to say," the council emphasized, "that America's special need at this moment in history is deficit financing. That means a tax cut in the lower and middle-income brackets and increased government expenditures."

On civil rights, the federation gave its full support to President Kennedy's action in moving troops into Alabama and renewed its appeal to Congress "to make equal employment opportunities the law of the land." If future Birmingham is to be prevented.

Equal opportunity in employment has been "the most grossly neglected" of the rights to which every citizen is entitled, the council declared.

"Only a fortnight ago the AFL-CIO again appealed to Congress to make equal employment opportunity the law of the land. We renew that appeal."

In the international area, the council warned of the growing threat to the peace in the Middle East touched off by the Egyptian nuclear arms program and urged the U.S. government to discontinue aid to any country which violates the principles of the United Nations Charter.

On foreign aid, the council restated its support of existing programs in the "strongest possible terms" and gave all-out backing to Meany's sharp dissent from the Clay Committee report which recommended cutbacks in the program.

The council has scheduled its summer meeting for August 12, at Unity House, the ILGWU summer resort in the Poconos.

## An Editorial

### '...FOR THE HERE AND NOW'

In clear and historic language, the Supreme Court on May 27 directed an end to "indefinite delays" in desegregation. While the case was concerned directly with ending segregation in Memphis parks, Justice Arthur J. Goldberg, speaking for a unanimous court, extended the court's impatience with delays to the desegregation of schools.

Turning specifically to the Supreme Court decision of 1955 directing that schools be desegregated with "all deliberate speed," the court now holds that it never contemplated that this concept "would countenance indefinite delay in elimination of racial barriers in schools" and other public facilities.

The words are those of Justice Goldberg and the entire court. But the resolute sense that equality can be neither compromised nor further delayed is the deep conviction of the overwhelming majority of the people of this nation, descendants of newcomers who came to this continent fleeing oppression and seeking the means for achieving human dignity and fulfillment.

The court—not the snarling dogs nor the brutish hoodlums, nor the helmeted troopers swinging clubs—speaks for all of the people. It asserts the supremacy of national purpose over local hostility and declares: "Constitutional rights may not be denied simply because of hostility to their assertion or practice."

It makes no declaration of war but rather appeals to the best in our character by declaring: "The existing and commendable goodwill between the races in Memphis . . . can best be preserved and extended by the observance and protection, not the denial, of the basic constitutional rights. The best guarantee of civil peace is adherence to, and respect for, the law."

With single-minded concentration on that law and unwayed by the arguments of those who would frustrate it, the Supreme Court holds aloft the banner with which this nation has inspired many other generations and peoples and under which the Negro citizens of this country now move forward: "... with Liberty and Justice for all."

## U.S. High Court Slaps Down 'Super-Seniority' for Scabs

The United States Supreme Court has ruled unanimously that super-seniority for strikebreakers is clearly discriminatory and an unfair labor practice.

Justice Byron White, writing for the court, declared that "super-seniority by its very terms operates to discriminate between strikers and nonstrikers, both during and

after a strike, and its destructive impact upon the strike and union activity cannot be doubted."

The case involved Erie, Pa. Re-sistor Corp. and Local 613 of the International Union of Electrical Workers. When the company and the union were unable to reach agreement on a new contract in 1959, a strike developed.

Management announced during the course of the strike that it had decided to award 20 years' additional seniority both to replacements and to strikers who returned to work, offering them protection against future layoffs.

### Depressed Area

The firm is located in an economically depressed area. The union decided to continue the strike, but after more than a week was unable to counter the company action. It was forced to capitulate to Erie demands. It filed unfair labor practice charges with the National Labor Relations Board.

The board's trial examiner said that the company took the super-seniority action for compelling economic reasons.

The board rejected the trial examiner's argument holding that "super-seniority is a form of discrimination extending far beyond the employer's right of replacement . . . and is, moreover, in direct conflict with the express pro-

visions of the act prohibiting discrimination."

The U.S. Circuit Court of Appeals, however, upset the board ruling. The NLRB carried its appeal to the Supreme Court, which reversed the lower court ruling.

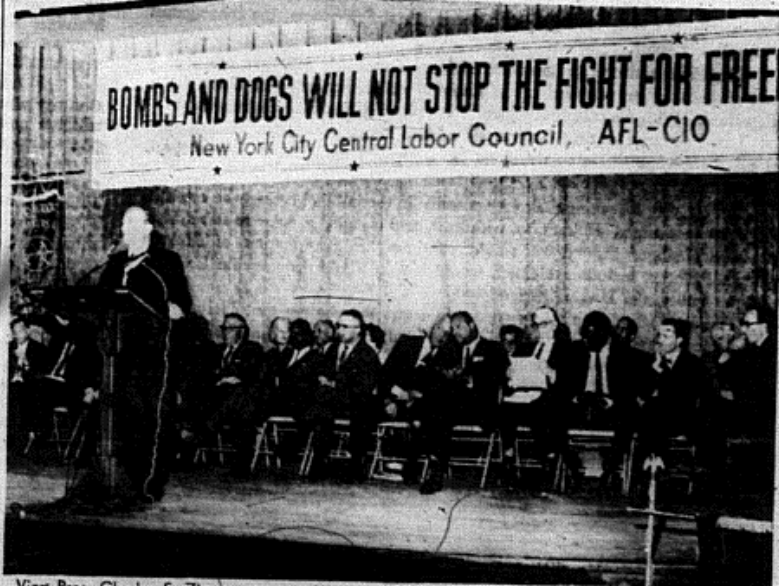
"We think," Justice White wrote in his opinion, "the Court of Appeals erred in holding in the absence of a finding of specific illegal intent a legitimate business purpose is always a defense to an unfair labor practice charge."

The high court listed some of the arguments against super-seniority presented by the NLRB, including: "It affects the tenure of all strikers . . . It operates to the detriment of those who participated in the strike as compared with nonstrikers . . . It offers individual benefits to the strikers to induce them to abandon the strike . . . It deals a crippling blow to the strike effort . . . It renders future bargaining difficult, if not impossible."

The Supreme Court has returned the case to the lower court to resolve the issues, including reinstatement and back pay.

Among women 20 years of age, the rate of job changing within a year is generally less than among men.

## Protesting Birmingham Brutality



Vice Pres. Charles S. Zimmerman speaking at rally sponsored by the New York City Central Labor Council, to protest police brutality and racists' criminal acts against Negroes in Birmingham, Alabama. Seated on stage are high officers of many unions and other fighters for civil rights. The rally condemning Birmingham events was held on May 16 at the Roosevelt Auditorium in N.Y.

## Congress Votes Equal Pay for Women Bill

Legislation which will require employers to pay women an equal wage for equal work passed both houses of Congress last month with virtually no opposition.

The measure, designed to halt widespread wage discrimination against women, passed the House of Representatives by voice vote on May 23. A few days earlier, a bill which differs only slightly from the House measure was approved by the Senate.

The legislation covers women who work in or produce for interstate commerce and are thus affected by the Fair Labor Standards Act of 1938.

The women's work force is esti-

mated at 25 million, but it is not clear how many of these workers are covered by the Fair Labor Standards Act.

Both the House and Senate measures provide that no employer may pay more to one sex than to another for

"equal work on jobs the performance of which requires equal skill, effort and responsibility, and which are performed under similar working conditions."

Exceptions would be allowed where a seniority or merit system

was in force or where earnings were measured by the quantity or quality of production. Further exemption would be given where a differential was based on a factor other than sex.

Employers would not be permitted to reduce pay for men to effect payroll balances between the sexes.

Any wages owed to a worker which were withheld in violation of the equal pay provisions would be held to be "unpaid minimum

wages" or "unpaid overtime compensation" and would be collectible from the employer.

The new law would become effective one year after its enactment, except where collective bargaining contracts were in force. In such cases, up to a year more would be allowed for adjustments.

W. Willard Wirtz, Secretary of Labor, called the measure "a major step in the long struggle toward providing full equality for women in our society."



# NLRB Castigates Judy Bond-UGW Coercion, Orders Reinstating of 10 'Evicted' in Brewton

## Stulberg in Israel



During his recent flying mission to Israel, General Secretary-Treasurer Louis Stulberg, left, convinced the firm of Jacob Lahav and Co. to discontinue producing blouses for Rhoda Lee and this action was instrumental in winning ILGWU strike at Rhoda Lee plants. He is shown with plant workers, employer Jacob Lahav (center), and I. Mishel, member of the Trade Union Department of Histadrut Israeli labor federation, right.

Judy Bond, runaway blouse manufacturer, has been directed to reinstate to their jobs 10 workers in its Brewton, Alabama plant who were physically evicted from their jobs in May and June 1962. Strikebreaking Local 422 of the United Garment Workers and the runaway, non-union company have also been directed to jointly make good any loss of earnings suffered by these 10 workers.

The smashing indictment of both the company and the UGW local is contained in the findings and directives of May 17, 1963 by Joseph I. Nachman, trial examiner of the National Labor Relations Board. It follows by less than a month the decision on April 25 of the Appellate Division of the New York Supreme Court unanimously upholding an award of about \$63,000 to be paid as damages, etc. by the company to the ILGWU. In December, the company paid an award of over \$25,000 to the ILGWU.

The intermediate report by the

NLRB trial examiner is a long record of violations committed by Judy Bond, the United Garment Workers, separately and together. These include:

—Illegally coercing Judy Bond workers in its Birmingham, Alabama plant to accept the UGW outfit as their bargaining agent;

—Threatening to discharge any worker found talking about the ILGWU (in or out of the plant) or wearing an ILGWU pin or carrying Justice into the plant or even in his or her pocket;

—Questioning workers about their membership in the ILGWU;

—Threatening to close the

Brewton plant if the workers chose the ILGWU as their bargaining agent;

—The forcible ejecting of 10 workers from their jobs in the Brewton plant by a small group of UGW adherents, condoned and ratified by the company which then laid off each of the 10 workers, thus discouraging membership in the ILGWU. This was in line with the policy outlined in a speech by Rothenberg, head of the firm, to the workers on May 23 in which he "made crystal clear his intention to deal only with UGW and that he would

(Continued on Page 11)

## Kansas City Dress Pact Pins Raises, Craft Rates

Kansas City dressmakers have ratified terms of a new three-year agreement covering close to 900 workers employed by shops belonging to the Dress Group of the Manufacturers Association.

According to Vice Pres. Frederick Siems, director of the Central States Region, the

new pact, which takes effect June 1, is highlighted by wage increases and a schedule of craft minimums.

Pay hikes stipulated are 9 cents an hour for piece workers and 5 percent for time workers, with skilled cutters and markers getting boosts of 15 cents now and another 15 cents next year. The pact also includes provision for reopening the wage clause after 2 years.

Craft minimum rates have been set as follows, with 2-step increases similar to those recently negotiated in the St. Louis dress industry:

	Now	Next Year
Cutters .....	\$2.85	\$3.00
Spreaders .....	1.70	1.80
Samplemakers .....	1.80	1.90
Pressers .....	1.85	2.00
Operators .....	1.50	1.60
Drapers .....	1.45	1.55

Basic minimums have been set at no less than 20 cents above the federal wage floor, with skilled crafts reaching their minimums after 6 months and unskilled after 3 months' experience.

Carried over from the previous pact is payment for 6 holidays. Union negotiators, in addition to Siems, included Helen Bengtson, manager of the Kansas City Joint Board, Business Agent Rinaldo Panetta and a committee of workers.

21 states and Puerto Rico prohibit or regulate the employment of adult women at night, 19 states and Puerto Rico have industrial homework laws or regulations. Six states and Puerto Rico prohibit the employment of women immediately before and after childbirth.

## 3 New Shops, Union Terms Replace Defunct Md. Selro

Three new shops, providing employment for some 300 workers under union conditions, have supplanted units of the bankrupt Selro Manufacturing Co. in Cambridge and Hurluck-Maryland, reports Vice Pres. Angela Bambace, manager of the Upper South Department.

Union negotiators, headed by Assistant Manager Joseph Shane, hammered out 3-year contracts with the following firms—each with a work force of about 100—calling for these terms:

**Perfect Garment Co., Cambridge:** This popular-priced sportswear concern, a subdivision of the manufacturing firm located in Baltimore, has penned a pact that includes a 35-hour work week; payment of 15 percent above weekly piece work earnings now, plus another 5 percent in September for a total of 20 percent; minimums 15 cents above the federal floor (in two steps); 5½% guaranteed paid holidays; vacation benefits of 1 week for those

employed a year and 2 weeks for those with 3 or more years' service, paid directly by the employer; health and welfare, retirement and severance fund coverage.

**Hurluck Sportswear Co., Hurluck:** Pact terms with this contractor, currently doing blouse work, call for payment of 15 percent above regular piece rates now, with 10 percent added in September of this year and another 5 percent in September 1964, for a total of 30 percent. It was also stipulated that piece rates be set to yield 20 percent above existing plant minimums at all times.

• Minimums for time workers, now \$1.25, go to \$1.35 in September 1963 and \$1.40 in September 1964, at which date all time workers also will obtain a 5-cent increase.

Other provisions include 5 paid holidays, a 37½-hour week now, going to 35 during the life of the agreement, and health, welfare, vacation and retirement benefits

in accordance with industry-wide blouse terms.

**Cambridge Clothing Co., Cambridge:** Piece workers to receive 15 percent on top of present weekly earnings now, rising to 25 percent in September; minimums set at \$1.25 an hour now, \$1.35 in September; 5 paid holidays; health and welfare, vacation, retirement and severance coverage.

## St. Louis Membership Meet



Pres. Dubinsky recalls union's early struggles for recognition in St. Louis, Mo., in speech at mass membership meeting held in that city. Also on stage, from left, are Eleanor Kotowski, vice president of St. Louis Board, Frank Rother, assistant regional director, Glen Clay, administrative assistant, Sam Mazzola, president of St. Louis Joint Board, Dan Robbins, manager of St. Louis Joint Board, Vice Pres. Frederick Siems, Central States regional director and Assistant Pres. Gus Tyler who also addressed the gathering. ILGWU president was in city attending meeting of AFL-CIO Executive Council, of which he is a member, and was also guest of luncheon tendered by garment employers.

## JUSTICE

Published semi-monthly by  
International Ladies' Garment  
Workers' Union  
Office of Publications:  
691 Summit Ave., Jersey City, N.J.

Editorial Office:  
1710 Broadway, New York 19, N.Y.  
Tel. COlumbus 3-7000

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MEYER MILLER, Mag. Editor

Subscription price paid in advance  
\$2.00 a year



Second-Class Postage Paid at  
Jersey City, N.J.

Vol. XLV June 1, 1963 No. 11

## Yivo Exhibit Documents Warsaw Ghetto Uprising

YIVO Institute for Jewish Research, 1048 Fifth Avenue, New York City, is holding an exhibit on the Warsaw Ghetto uprising. It is open to the public Monday through Friday, 12-5 P.M.; Sunday, 1-6 P.M.

Groups of 25 or less may visit the exhibit by contacting Mrs. Haimnah Fryshdorf at LE 6-6700 for the arrangement of a mutually convenient time. Children under 14 years of age cannot be admitted.

# Unionizing Efforts Advance Up and Down Pacific Coast

All along the Pacific coast—from Los Angeles, to San Francisco, to Seattle—and 500 miles to the east in Ogden, Utah, Pacific Coast Region organizers have been at work, starting new organizing moves and reaping the fruits of successfully conducted campaigns, according to Vice Pres. Samuel Otto, regional director.

In Los Angeles, a short but highly effective organizing drive of less than two weeks' duration resulted in the signing up of all 35 workers at the Park Pleating and Stitching Co. The coordina-

ted and efficient drive of the Los Angeles Dress and Sportswear Joint Board and the Pacific Coast Organizing Department has led to the employer's acceptance of the standard industry contract.

## Tami Tagged

In the "Bay City" of San Fran-

cisco, Tami Sportswear, a jobber employing 20 workers in its shipping and receiving departments, joined the rolls of the successfully unionized after a struggle in which the employer resorted to firing members of the union's shop committee.

The NLRB struck down this violation and ordered the return of the discharged employees with back pay. Then at a representation election, Tami workers voted to make the ILGWU their collective bargaining agent.

Up in Seattle, a majority of the 40 workers at the Seattle Knitting Mills, has signed authorization cards after a unionizing push which was featured by intensive rounds of home visiting. Conducting the drive were Manly Labby of the Pacific Coast Organization Department and Eloise Pratt, manager of Seattle Local 184. Next step is a representation election at the plant for which the union recently filed a petition.

## Sierra Signers

To the east, across 350 miles of desert, the professional labor-baiting "consultant," Gladys Selvin, has been busy at work trying to block an organizing campaign at the Sierra Lingerie Co. of Ogden, Utah.

With a majority of the plant's 90 workers already signed up, the union has filed a petition for an election with the NLRB. A hearing has been held on the union petition.

Sierra is a subsidiary of California Lingerie which has an inside factory in Los Angeles employing over 300 workers. About three years ago, the Pacific Coast Region conducted an organization drive at this plant. Coincident with the Los Angeles drive, the company, which is also represented by Selvin, opened Sierra Lingerie in Ogden.

## L.A. Cloak Members Get \$184,000 Vacation Pay

The Los Angeles Cloak Joint Board paid out vacation benefits totaling \$184,000 during the week of May 20, in which 3,455 ILGers received an average of \$54, based on the 2 percent of gross yearly wages scale.

## Parallel to Labor

AFL-CIO Pres. George Meany, in a response, remarked that many of the federation's programs and the administration's were parallel—"although we might like to go a little faster."

Labor Secretary W. Willard Wirtz, who invited the ILPA members to the conference, told them in his opening remarks that "the problem of communications is today the single most serious problem in the field of developing labor relations."

Others who addressed the labor editors included Secretary of the Treasury Douglas Dillon, White House Press Secretary Pierre Salinger, Gardner Ackley, a member of the President's Council of Economic Advisers, John F. Henning, Undersecretary of Labor, Samuel Merrick, special assistant to the Labor Secretary for legislative affairs, and Robert J. Myers, deputy commissioner of the Bureau of Labor Statistics.

John W. Leslie, director of information of the Labor Department, presided at the sessions. The 2-day conference was planned and worked out with the officers of the ILPA of which Bernard R. Mullady is president and Kenneth Piester, secretary-treasurer.

## Kennedy Spells Out Aims To Labor Press Editors

The Kennedy administration spelled out in depth its fiscal and economic programs and policies—with a heavy emphasis on the problem of unemployment—for the nation's labor editors at a 2-day session in Washington.

Cabinet members, economic advisers, White House personnel and top officials of the Labor Department participated in the question-and-answer, wide-ranging discussions of the state of the national economy, unemployment, taxes, labor relations, manpower and youth employment with 120 editors of union newspapers and magazines, members of the International Labor Press Association. Justice Editor Leon Stein attended the session.

At a White House reception for the editors on May 20, President Kennedy emphasized the importance of the labor press in "getting our story told" to the people.

Receiving them in the State Dining Room, scene of diplomatic and state dinners since the administration of Thomas Jefferson, the President emphasized in brief remarks the urgency of a \$10 billion tax cut, of maintaining a high level of government expenditures for social and economic purposes, in order to spur business activity and cut the rate of joblessness to 4 percent "by 1965."

Kennedy also emphasized the administration's determination to obtain congressional passage "this year" of the Anderson-King bill for social security hospital care for the aged.



President John F. Kennedy and Justice Editor Leon Stein discuss article by the President which appeared in May 15 issue of Justice. Mr. Kennedy examined the ILGWU paper during May 20 White House reception for editors of nation's trade union publications.

## United We Stand ...



Outside Gimbels in Manhattan, members of Local I-S of Retail and Wholesale Department Store Employees Union join with ILGers of New York Local 142 in distributing "Don't Buy Judy Bond" leaflets to store patrons and passersby. Participating in leafletting activity are Sam Kovenetsky, Local I-S president, shown left, and Joseph Tuvim, Local 142 manager, right.

## Persistence Sees Thru Drive by '98' at C-Thru

Union persistence has paid off in union conditions for 35 workers employed at C-Thru Products, a premium packaging concern in New York City.

According to Manager Herbert Pokodner of Rubberized

## LOS ANGELES CLOAK, FRINGE BENEFIT FUND REAP \$9,800 AWARDS

A Los Angeles manufacturer who locked out his workers, illegally gave up his shop and opened up another shop under a different name has been ordered by the impartial chairman of the cloak industry to pay benefits and damages totaling more than \$9,800.

For violation of his contract with the Los Angeles Cloak Joint Board, Herbert Kreuz, owner of F & K Manufacturing Co., was ordered to pay \$7,823 into the union's benefit funds and \$2,000 in damages to the Cloak Joint Board.

By 1970, pension plans will cover about 34 million workers, according to recent projections.

Plastic Fabric Workers Local 98, earlier organizing efforts undertaken last year did not succeed. However, this didn't daunt the local; sustained unionizing activities sparked by Business Agent Ike Barns finally succeeded in signing up these workers.

Convinced of the employees' determination to obtain union standards, the employer became a party to the local contract with the Plastic Soft Materials Manufacturers' Association.

As a result, workers won an immediate reduction in the work week from 40 to 37½ hours, with no loss in pay, plus an increase of 6 cents an hour; 2 weeks' vacation pay (1 from union welfare funds, 1 paid directly by the employer); 7 guaranteed paid holidays, and standard "fringe" benefits.

At a shop meeting held after the agreement was concluded on May 24, the workers elected Samuel Muniz shop chairman.

## MACKLIN, MARGIE ONE AND SAME EVADER; NLRB ORDERS POLL AT LOS ANGELES SHOP

A LOS ANGELES DRESS MANUFACTURER who laid off all of his firm's employees under the guise of going out of business and then opened up his plant as a "contracting" operation has been slapped down by an NLRB ruling, according to Vice Pres. Samuel Otto, Pacific Coast Director.

The labor board ruled that the manufacturer, Cliff Macklin, was a joint owner of the "contracting" firm, thereby upholding the union's contentions, and ordered a representation election for all production and maintenance workers be held.

THE DISPUTE ORIGINATED IN DECEMBER 1961, when Macklin laid off all his employees and refused to negotiate with the union for a contract renewal. Although he claimed he was going out of business, a cutting room was opened on the premises a short while later.

When the union charged that this constituted a lockout of his former cutters, Macklin, through professional labor-hater Gladys

Selvin, answered that the cutting room had been leased to a contractor with an arrangement to work on a piece work basis.

Shortly thereafter, the "contractors" cutter was replaced by Margie Dishong, doing business as Margie's Women's Wear, another "contractor" but this time with a complete inside manufacturing plant, including cutting operations, employing 35 workers.

THE PACIFIC COAST REGION THEN filed a complaint with the NLRB charging that the "contractor" setup was nothing more than a smokescreen behind which Macklin was operating a non-union shop. The union complaint named Macklin as joint owner of Margie's Women's Wear.

The NLRB upheld the union's contentions, finding that the physical proximity and the degree of common control constituted a joint ownership. It ordered that a representation election be held for all production and maintenance workers.



## Reopener Wins Raise-Plus for Brunswick



Pres. Dubinsky paves way for pact settlement providing major gains for some 200 workers at Brunswick Manufacturing Co., of Brunswick, Ga. Negotiations were moved to ILGWU General Office in New York after lengthy parleys with company representatives reached impasse. Also playing key role in contract settlement talks was E. T. Kehr, director of the Southeast Region.

Invoking of the wage reopener clause brought substantially more than a wage increase to some 200 workers employed at the Brunswick Manufacturing Co. of Brunswick, Georgia.

After talks with company representatives had reached an impasse, parleys were moved to the ILGWU General Office in New York, where Pres. David Dubinsky was instrumental in paving the way to settlement.

What emerged last week was agreement not only on an across-the-board wage boost of 5 percent, retroactive to April 1, but also these additional gains:

—Reduction in the work week to 37½ hours, effective June 1, with no loss in pay (equivalent to a 6½ percent compensatory pay rise);

—Employer contribution equal to ½ percent of payroll for severance fund coverage;

—An additional paid holiday starting in 1964;

—Lowest minimum to be 10 cents above the federal pay floor.

The Brunswick plant is a subsidiary shop of a firm under contract with New York Local 105. Expiration date of the existing contract is April 1, 1964.

Participants in the settlement negotiations, besides Pres. Dubinsky, included Southeast Region Director E. T. Kehr, Southeast Business Agent Harry Berger, Local 105 Manager Martin L. Cohen, and a committee of Brunswick workers consisting of Mary Johns, Carolyn Hall, Mildred Garnio, Mildred Pruitt and Erma Long.

## Anti-Organizing Raise 'Bribe' Trips-Up Montreal Resister

### '9' Overtime Bans Stressed At Meet

Members of New York Cloak Finishers' Local 9 were told by Manager Harry Fisher that no overtime will be permitted in shops where there is room for placement of new workers. The announcement was made at the local's recent membership meeting held in the Hotel Diplomat.

Other agenda items included an analysis of the current condition of the cloak industry and a report on the local's finances for 1962.

### '117' Meeting June 26; Outing June 21 Weekend

Union and trade matters affecting all cloakmakers will be aired at the general membership meeting of New York Cloak Operators Local 117 on Wednesday, June 26, right after work at Manhattan Center, Manager Nat Windman announces.

He also reports that the local's annual outing will be held the weekend of June 21 at New Brighton Hotel in Parkville, N.Y. Reservations must be made now at the local office, 242 West 38th St. (CH 4-8454).

## '38' Pushes Talk for 300 With Bergdorf and Carnegie

Negotiations are continuing on terms for renewal of agreements covering more than 300 workers employed by Bergdorf Goodman and Hattie Carnegie, New York couturiere houses, reports Manager Luigi Quintiliano of Theatrical, Custom and Ladies' Tailors Local 38.

Topping the union's demands for new pacts at these firms is a \$12 weekly wage increase. Other improvements sought include additional employer contribution to the health, welfare and retirement funds; establishment of a severance fund; an additional week's vacation for all workers now receiving one week, and a third week for all others employed by the companies for more than 15 years.

### Theatrical Talks Due

Theatrical costume workers, whose current contract is scheduled to expire September 15, will formulate their demands for agreement renewals at a membership meeting on June 15 at Hotel Diplomat, Quintiliano announces.

Some 300 members of Local 38 are affected.

The Quebec courts have made it clear that attempted bribery of workers by a firm attempting to resist unionization won't be tolerated in the future.

A ruling by Judge Marc-Andre Blain in Montreal scions' court fined a non-union children's wear employer \$100 after the ILGWU complained. In criminal proceedings, that wage increases given workers by Kiddies Togs Manufacturing were in violation of Quebec's labor laws.

Judge Blain, in levying the fine, pointed out that the Quebec Labor Relations Act forbids any change in the "conditions of employment" of workers while a union petition for certification is pending before the Labor Relations Board.

The ILGWU, through Counsel J.J. Spector, laid the complaint with the statutory permission of the board as "an interested party." The charge was based on the fact that, after the ILGWU had organized the shop and applied for recognition as bargaining agent, the company raised employees' wages between October 15, 1962 and March 19 of this year.

### Strict Enforcement

Judge Blain ruled that the Quebec Labor Relations Act must be interpreted restrictively. If the law were not strictly enforced, he

reasoned, wages could be reduced as a reprisal for union activity or could be raised—as was the case with Kiddies Togs—to forestall interest in union membership.

It was the duty of the courts, he observed, to give effect to the intentions of the legislator to facilitate organization of workers into unions "for the protection of their rights."

He added—significantly—that "experience has shown that working conditions are always more favorable in industries where employers are subjected to a collective agreement through unions recognized by the law."

In an aside from the main case, he pointed out that "provincial civil servants (in Quebec) are not remunerated on the same scale as municipal employees" (in Montreal), adding that "other examples could be cited as well."

## ILLEGAL BOSS DEEDS NIX SECOND VOTING AT ROANOKE COLNIT

The National Labor Relations Board has set aside the results of a second representation election held recently at Colniti-Fashion Trim of Roanoke, Virginia, on the grounds that the firm had continued to engage in a series of violations

aimed at thwarting the workers' legal right of self-organization.

In the decision handed down, John A. Penello, director of the board's Fifth Region, concluded that Colniti had persisted in conducting an illegal campaign of harassment and intimidation.

This included surveillance of union meetings, posting of anti-union literature on the company bulletin board on the day of the election, and speeches made by the employer and plant manager threatening workers with loss of current benefits and employment and inferring that the firm would close its plant in the event of an ILGWU victory.

### Coercive Acts

As in the previous election, according to Vice Pres. Angela Bambace, Upper South Department manager, the firm followed the customary pattern of anti-union tactics used by other area employers in their attempts to prevent unionization.

In addition to the above illegal acts, the firm circulated a letter to all its employees containing a clear warning to the workers that if they voted in favor of the ILGWU the firm would deliberately precipitate a strike call by

adamantly refusing to negotiate with the union.

No definite date has been scheduled for the next representation election.

The first election at Colniti was held on November 14, 1962 and was dismissed by the NLRB for similar violations committed by the firm in that campaign. By intentionally continuing to use these illegal practices in the second election the firm has given notice that it does not intend to alter its practices in the future.

Colniti's continuing efforts to maintain its "runaway" status may subject it to many more such NLRB decisions. But the firm will be doggedly faced with equally diligent efforts by Upper South staffers to return it to the union fold.

The Colniti firm's continuing illegal anti-union acts also are the subject of union charges of unfair labor practices pending before the NLRB. A hearing on the complaints was held April 29 before a board trial examiner, with the union's case presented by Upper South Assistant Director Joseph Shanne, Organization Director Joel Goolst and attorney Bernard Rubenstein.

## Block 'Smart' Chiseler, Workers \$1000 Richer

Some 75 employees of a Montreal cloak shop are \$1,000 richer this month—and enjoying the benefits of an ILGWU contract—as the result of strong enforcement measures which halted attempted chiselling by the employer.

Employees of Smart Garment and Contractors had been without the benefits of union security ever since the shop was opened some 9 months ago by the parent company, Skirt Togs Industries, which has long had contractual relations with the ILGWU. A third firm, Fashionair, also part of the same group, also is organized.

### To Joint Commission

Vice Pres. Bernard Shanne reports that when the ILGWU in-

sisted on organization of the newly-formed subsidiary—in line with contract provisions affecting Skirt Togs—it met firm resistance on the part of the employer. The union finally complained to the joint commission which regulates the industry in Quebec province that the firm had failed to pay its workers the 7 percent wage boost, effective last September 15, mandatory under industry regulations.

After lengthy hearings and negotiations, Smart Garment finally came to terms May 15, signing an agreement effective May 20 under which the firm joined the Manufacturers' Council of the cloak industry and accepted terms of the collective agreement between the industry and the union.

Assistant General Manager Si Bresner and Montreal Cloak Manager Sam Liberman represented the union.

Aside from retroactive pay of \$1,000 to employees, the company agreed to grant the 7 percent wage increase and to make immediate contributions totalling 2½ percent to the health, health center and severance pay funds.

Effective July 1, it will contribute 4 1/8 percent into a vacation fund and, as of May 1, 1964, 3 percent into the retirement fund for a total contribution of 9 5/8, the same amount applicable throughout the cloak industry in Montreal.

Currently over half the employees in nonfirm establishments, including government, are covered by retirement plans.

### Checks Against Closings



Severance benefits, protecting workers against shop closings, have been instituted in the Montreal embroidery industry. Here Vice Pres. Bernard Shanne presents first severance check to Laurette Bernier as Bernard Vineberg, left, president of accessories manufacturers' assn. and Business Agent Al Meakins look on. Six ILGWers at 2 closed-down shops received checks.

# SEWING SCHOOL - SW



With Maide Springer as the model, students at the Kenya Institute of Tailoring and Cutting are instructed in fitting garments. Institute was financed by \$10,000 donation from Philadelphia Dress Joint Board.

**S** EVEN thousand miles from Seventh Avenue, in the East African city of Nairobi, Kenya, the ILGWU is assisting in a project which aims to transform the independence-bound country of 8.7 million people into the garment center of Africa.

Armed with a \$10,000 grant from the Philadelphia Joint Board, Maide Springer, for many years on the staff of the New York Dress Joint Board and currently with the AFL-CIO Department of International Affairs, has supervised the setting up of the Kenya Institute of Tailoring and Cutting to train Kenyans in the garment crafts.

Her efforts have been so successful that all of the classes are filled to capacity with more than 100 students on the waiting list. Enthusiasm for the classes is so great that some students travelled up to 5 days on a rickety bus to get to Nairobi. Others walked more than 20 miles.

Classes at the school are in two sessions. Evening sessions are open to members of the Tailors and Textile Workers' Union who are seeking to upgrade their skills. Daytime classes contain mostly women with little or no training in needlework skills.

Kenya's Minister of Education, Hon. Lawrence Sagini, officiating at the school's opening ceremonies, noted that workers "will benefit from this training and by so doing will increase skilled manpower in the industry for the benefit of the whole country."

Below are scenes from the Kenya Institute of Tailoring and Cutting—"School for Sewing, Swahili Style."

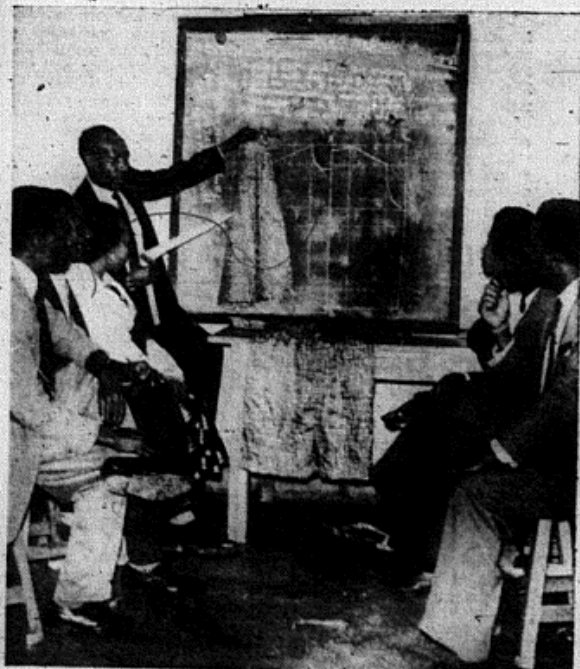


A class at the day session of the Institute. These students, mostly unskilled, will learn the basic elements of the garment trade.

A Swahili Labor ne



Owilli Abaja, the Institute's senior instructor, demonstrates the techniques of jacket cutting. Interest in the school is so high that classes are filled to capacity with over 100 students already on waiting lists.



Officials and instructors at the Institute discuss teaching techniques and methods. School is operated by Kenya Tailors and Textile Workers' Union.



# VAHILI STYLE

# MFANYI KAZI

*Sauti ya K.F.L.*

HILI NDILO  
GAZETI  
LAKO

April 3, 1963

**MFANYI KAZI**

## SAGINI AFUNGUA SKULI YA WAFANYI KAZI

Majani, wawili wa elimu katika Serikali ya Kenya alifan-  
ga jambo mashabiki la kuhusiana shuki ya wafanyi kazi katika  
krua ambayo itakuwa ikiondoka na wafanyi kazi.  
Shaki hii ni ilijitokea kama kaulimote ya Tailoring and  
Cutting ambayo itakuwa ikiondoka wafanyi kazi wa kushona  
pamoja na wengine ambao wanafika kufundisha kushona.  
Chama cha wafanyi kazi ambacho kinachukua na jambo  
hii ni kile kijitokea kama Tailors and Textile Workers'  
Union ambacho kinagawana na Bw. Karume, ambaye aliku-  
wa mwenye majazi katika kauli mfulana yake ya shughuli za  
wafanyi kazi kote Amerika.

Hina sihihi iki itandakua na munda koteba kama cha wafanyu kazi wa AFI, CIO, na wafanyu kazi wa Umu Shauri wa Keraa Federation of Labour, Dr. Peter Mwangi alimwambia wafanyu kazi hawa baada ya Waziri wa Elimu, Bw. Sogoini alikuwa akimwambia hawa ya KFI, na mji za kutafuta ulimwamu wa mji, kila jina ambalo KFI, undaniwa ya kazi hizi, ambalo ni na kila kazi-moja na bakuna kila mji hizi ambalo ni na kila jina ya mji, hizi wala

ambao watawenda kushambua  
ya KFL, lila uka, iki KFL  
ambao na kichimichi pamoja  
na Amerika wanafika  
lafahamu katika wakati huu  
kwamba KFL, hata kichimichi  
na nchi yote, kwa  
sahababu zina tumayaya mamba  
yote kama wazi" akatamka  
Bw. Peter Kabiru.

Wafanyi Kazi Watiw  
Moya.

Wafanyi kazi ni larima ku-  
fwa moyo wa kuendelea  
mbele kufika juhudi zao za  
kuendelea; hali ya elimu,  
biashara na bata hali ya uchu-  
mi, akatamka Bw. L. Sagol  
Waziri wa Elimu kataka Serik-  
hali ya Kenya alipokuwa aki-  
jina hotuba kwa baada ya  
kufungua shuli hi.

Akiendelea kusoma kwamba  
Serikali ya Kenya ilikuwa  
ikiangalia kwa makini sana  
muendeleo ambayo yanguwa-  
za kufanywa na shuli hi.

**Wafauzi Kazi watafaidika  
Matajiri la?**

- Inafahamika kwamba Wafanyi kazi watawaza kufaidika kutokana na Skuli hii, lakini swali ambalo kila mmoja amekiwa akipindua - ni kwamba matajiri wataipenda skuli hii ama la?

Kama alivyosema Kaliba Mkuu wa TIWU Bw. Karumha hapo mbele ni majajiri wamekuwa wakikata kuwongera wafany kazi mishahara na kusoma kwamba wafany kazi walikuwa hawana mti

A black and white photograph showing a group of people. In the center, a man in a dark suit and white shirt stands with his hands on his hips. To his left, a woman in a light-colored dress is partially visible. To his right, another man in a suit is standing. The background is a large, textured wall, possibly a mural or a wall with a rough finish. The image is grainy and has a high-contrast, somewhat blurry quality.

## SAGINI AKIFUNGUA SKULI

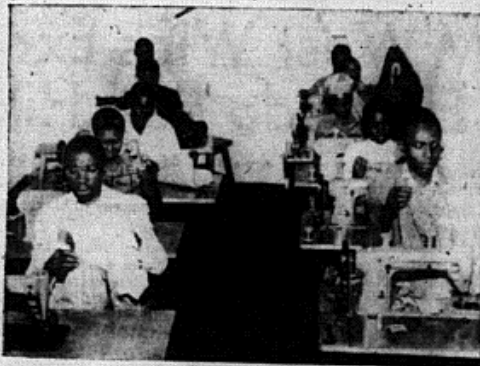
wa kiongozi, "lakini sisi wote tana cha nyuma kuni, kwa sababu tunamwacha skuli hii ili kuwera kuwafunza wafanyaji kazi na kuwafanya kusema njuzi ili katika kupigania mshahara yao. Tunata kupa shinda matajiri."



Evening session students, seeking to upgrade skills, learn to fit man's jacket. In past, lack of training, has kept down wages.



Instructors S. Osore, C. Gari and Geoffrey Gatama cut work for students. School's 7 instructors take trade unionism seriously.



After Kenya achieves independence in 1964, these students will aid in the task of producing garments for her 8 million people.

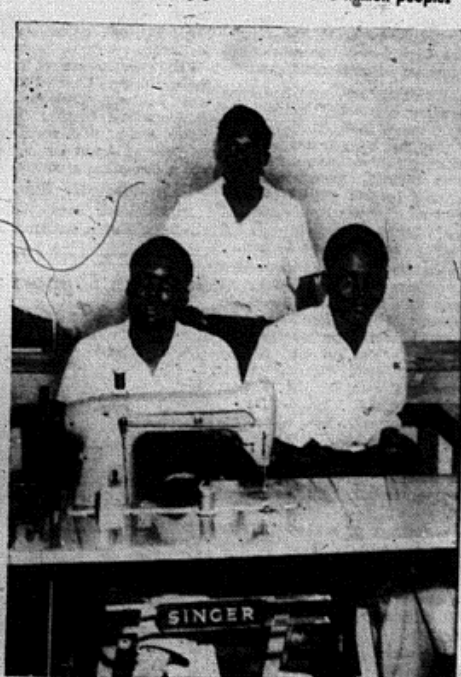
ili language welcome to the Institute of Tailoring and Cutting graces the front page of the Kenya Federation of newspaper. Kenya's Minister of Education, Lawrence Sagini, center in photo, spoke at the opening ceremony.



Peter Maina, secretary at Institute office, talking with 2 students. On wall, "Pins and Needles" record album.



A. W. Karumba, Institute director and 1961 ILGWU Training Institute graduate, checks garment with instructor Lucy Mark.



These three scholarship students, from left, Stephen Oluoch, Patrick Samuel and James Mugai, are learning tailoring crafts.

## Fall River Protest Triumphs



Plant workers walk out in protest after several fellow workers are fired for pro-union activity during organizing drive at Fall River Knitting Mills, in Fall River, Mass. Faced with this show of union determination, the employer quickly promised to reinstate the unfairly discharged employees.

## Vigorous N'East Campaign at Fall River Knit

An organizing campaign reminiscent of the early union efforts in Fall River, Massachusetts has been conducted for the past several months at the Fall River Knitting Mills, employing over 300 workers in the manufacturing of sweaters and general knitwear, reports Vice Pres. David Gingold, director of the Northeast Department.

According to Northeast Field Supervisor Jack Halpern, after union organizers had succeeded in signing up a sizable number of the shop's workers, the employer resorted to a wide range of unfair labor practices. To counter these acts, the union filed 30 charges against the firm with the National Labor Relations Board.

Local 178, managed by Ralph Roberts, has given solid support to Fall River Knitting workers in their determination to win union standards and benefits.

When the employer fired several pro-union workers, fellow plant employees responded by walking out in protest and demanding their reinstatement.

Union officers later met with company attorneys and negotia-

ted a return to work for both of those who had been fired and the others who had walked out in sympathy. In addition, an informal agreement was reached stipulating that the employer would "cease and desist" from interfering with the workers' efforts to organize themselves.

However, shortly after this "truce" was obtained, the employer renewed his unfair tactics. But this only caused pro-ILGWU workers to step up their efforts, and many of them began openly to wear ILGWU buttons and sweatshirts to demonstrate their all-out support for the union.

## M'West Wins Excel Voting; Eldorado Pay Hikes for 150

A new agreement providing significant wage hikes for some 150 workers in Decatur, Illinois, and the winning of a National Labor Relations Board representation election in Chippewa Falls, Wisconsin, highlighted recent achievements in the Midwest Region, reports Vice Pres. Morris Biells, regional director.

### N'EAST ANNOUNCES ASSIGNMENT SHIFTS

In line with its policy of assuring the most efficient administration and servicing of its affiliates and membership, consonant with changing needs and problems of the respective areas, the Northeast Department has announced a number of staff reassignments.

Peter Nadaash, who had been directing organizing activities in the Upstate New York-Vermont District, has been named assistant manager of the Western Pennsylvania District (Johnstown). Also assigned to this district to augment its staff was Business Agent Erwin Levine, heretofore with the Northern New England District.

In view of the fact that added supervisory responsibilities will of necessity require Shamokin Manager Louis Rona's absence from his area from time to time, it was decided to add to the Shamokin staff Business Agent Vincent Rosato, previously with Scranton, and William Karker, from Vermont, for educational-political activities.

Replacing Rosato in Scranton as business agent will be Leon Saslaw, formerly with the Wilkes-Barre unit.

Anthony Morgano, who has been assistant to Rona in Shamokin, has been assigned to the Trenton-Wilmington area in place of Harry Schindler, who is retiring after 30 years of active union service.

Schindler has been with the Northeast Department from its beginnings, when it was known as the Cotton Garment and Miscellaneous Department in the early Thirties.

In Decatur, Illinois, the new contract reached with the Eldorado Garment Co., a dress contractor, calls for hourly wage increases of 10 cents for cutters, 7 cents for all other time workers and 9 cents for piece workers.

It also provides for a minimum wage boost to \$1.40 an hour. The agreement, which was enthusiastically approved by members of Local 120, will expire on August 31, 1964.

Pact negotiations on behalf of the union were directed by Assistant Regional Director Harold Schwartz and General Organizer Harry Ruffer, who were assisted by Business Agent Leora Wicher and a committee of shop workers.

### Wisconsin Win

In Chippewa Falls, Wisconsin, an overwhelming majority of the

workers at the Excel Garment Manufacturing Co. voted in favor of the ILGWU as their bargaining agent in a NLRB representation election held May 14.

Workers at the plant, when it was being operated by the Chippewa Falls Woolen Mills, had been represented by the ILGWU. However, this firm went out of business last year and the plant was purchased by Excel, which manufactures jackets, and operates another factory in Minneapolis under contract to another union.

The ILGWU contested the company's position and filed a petition for a representation election with the NLRB which was subsequently granted and ended in last month's triumph.

### Brazilian Supporters



Visiting Brazilian trade unionists join ILGers on the picket line at Pine State Manufacturers' plant in New Bedford, Mass.

## Hazleton Area Adds 3 to N'East Roster

A continuing organization campaign in the Hazleton District of Pennsylvania has paid a dividend in the form of three new shops employing a total of 90 workers added to the rolls of the ILGWU, according to Vice Pres. David Gingold, Director of the Northeast Department.

The three plants are: Tami Fashions, sportswear manufacturer of Tamaqua, Pa.; Jo-Je Inc., of Summit Hill, Pa., children's dress manufacturer; and Anita Fashions, blouse manufacturer of Beaver Meadows, Pa.

Workers are covered by terms of the standard sportswear, children's dress and State Belt contracts, respectively.

Heading the unionizing drive

was Ray Shore, manager of the Hazleton District Council, with assistance from Business Agents Elsie Hnat, Joseph Rotell and Al Mason.

Emily Mace was named chairlady and Dorothy Henne, secretary, at Tami; at Jo-Je, Carmella Reese and Christine Hajcak were named chairlady and secretary, respectively. At Anita, Rosemary Kokinda was named chairlady and Helen Morris, secretary.

### Wyoming Valley Walkers



Picket line at Vine Street Sportswear in Kingston, Pa. Close to 250 workers in Wyoming Valley area of state are on strike due to employers' balks at renewing pacts or attempting to evade contract provisions. From left are Alice Kuchinsky, Carrie Brennan, Florence Klecha, Ciel Kihenehy, Leona Plevel, Emily Edwards, Mary Tanchak, Elizabeth Gurka and Myrtle James.

## N'East Striking at 6 In Wilkes-Barre Area

Close to 250 workers at six plants in the Wyoming Valley area of Pennsylvania are manning the picket lines because of employers' balking at renewing union agreements or attempting to evade their responsibilities.

### N'EAST NEGOTIATORS MAKE PACT HEADWAY IN BOSTON RAINWEAR

With expiration date of the current contract drawing near, a partial union breakthrough was achieved in the lengthy negotiations between Northeast Department Local 24 and the New England Clothing and Rainwear Manufacturers Association on terms for a new agreement covering some 2,000 Boston area rainwear workers.

After an intensive bargaining session on May 20, whose participants included Vice Pres. David Gingold, Northeast Department director, and Sol C. Chaikin, assistant director, the employer spokesman consented to the principle of establishing specific guaranteed craft minimums—one of the major demands prepared by the union.

However, the parties were still apart on the overall package of improvements sought by the ILGWU, which covers also a wage increase, additional paid holidays,

Three of the shops are bra concerns that have failed to come to terms on new pacts that have been completed with other "out-of-town" firms in the follow up to the recently negotiated metropolitan brassiere industry renewal, reports Vice Pres. David Gingold, Northeast Department director.

Bra shops at which the walk-outs are taking place are Glen Lyon Brassiere & Corset Co., Wilkes-Barre; Plains Manufacturing, Plains Township; and Engle Manufacturing Co., Glen Lyon.

The 3 other shops where workers are striking, according to Wilkes-Barre District Manager Paul Strongin, are Kaplan & Koral and K & B Sportswear, both of Edwardsville, and Vine Street Sportswear in Kingston.

and unequivocal recognition of full employer obligations for payment of health and welfare sums.

In the numerous negotiating sessions held since parleys got under way several months ago, participants in addition to those named above included Local 24 Manager Henry Brides, Business Agent Al Praloli, and a committee from the local executive board.



MAY 23 1963

New York World-Telegram

The Sun

17 SECOND SECTION

# A Better Era for Puerto Ricans

Obstacles of mass migration are disappearing for our newest New Yorkers

By CAROL TAYLOR

**M**RS. JENNIE RODRIGUEZ isn't a Puerto Rican any more. She's a confirmed New Yorker, proud of her Puerto Rican background.

Here is the familiar story of a New Yorker who wasn't born here. For New York is a newcomer's town—a town that has thrived on and become enriched by newcomers.

In generations past, when waves of Irish, Italians, Jews, Germans, Scandinavians immigrated here, New York always found the resilience and the room to absorb them.

Today, the newest newcomers, the largest group of recent migrants to New York—the Puerto Ricans—are experiencing the inevitable settling-down pains of all ethnic groups in a strange environment.

But thousands of others from the Commonwealth have overcome the first obstacles of poor housing and unfamiliarity with the language, adjusted themselves to city life, and become established members of the community.

## Arrived at 5

Mrs. Rodriguez, whose husband died eight years ago, now with her two children, proudly occupies an attractive, two-bedroom apartment on W. 24th St. in Penn Station South, the International Ladies' Garment Workers' Union cooperative.

It's within walking distance of the garment district, where she has worked as a housecoat operator for over 20 years with the Zabel Negligee Manufacturing Co., 36 W. 27th St.

Mrs. Rodriguez was only 5 when she went to live in the Borough Hall section of Brooklyn. Her father had come to New York ahead of his family and found work in the Navy Yard before sending for them.

"No, we didn't like it," recalled pretty, friendly Mrs. Rodriguez one morning recently, over coffee in the large, sunny kitchen of her



The happiness that comes with adjustment by Puerto Ricans to the strangeness and obstacles of life here is reflected by Mrs. Jennie Rodriguez, her son Jose, 28, and daughter Janice, 10.

new apartment. "I was used to being outdoors all the time. It was hard being cooped up in a three-room apartment. It was like being in a cage."

But the little girl who started out as a confused, Spanish-speaking first grader in the old Public School 1 on Adams St., is an "old settler" in one of Manhattan's oldest neighborhoods now.

"My mother," said her good-looking son, Jose, 28, "would feel lost living any place but Chelsea."

Vacation visits to her old island home make her even more sure

that New York offers more for herself and her children.

"I'll never go back," she said. "It's nice for a vacation, but not to live. I like my house. I like my neighbors. I've got very good neighbors."

Social life for her and her daughter, Janice, 10, revolves around the Hudson Guild Neighborhood House, 436 W. 27th St., where they have gone for recreation, for advice and for help in housing since they moved to Chelsea from East Harlem.

The family came to the neighborhood in the early 1940s, several years before the tremendous influx of families from Puerto Rico which caused housing problems and neighborhood tensions.

## Better Housing

Daniel Carpenter, executive director of the Guild, which pioneered in a housing clinic and English classes for the Spanish-speaking newcomers, said the neighborhood is becoming more integrated now. Only a few of the old rooming houses, where families lived in cramped, substandard conditions, remain. Robert Fulton Houses is being constructed to join the John Lovejoy Elliott Houses in providing public housing. Penn State South also has changed the face of the neighborhood.

After the death of her husband, Mrs. Rodriguez felt she needed new surroundings and the Guild found her an apartment on W. 24th St. They also guided her to the co-op where the family moved last fall.

"We've made a better move, every time we moved," she said, smiling contentedly, looking about her spacious, attractively furnished quarters.

Janice, who attends St. Michael's Catholic School on W. 34th St., goes to the Guild after school for recreation and activities like

ceramics, painting, piano lessons. Her mother picks her up when she gets off work.

Every summer the two take a month's vacation in a cottage at the Hudson Guild Farm, Andover, N. J., for which she pays a modest rent.

Jose, an Air Force veteran, recalls his early boyhood in East Harlem—"We had so much trouble up there. And then we came to this neighborhood. It was a nice neighborhood, peaceful and quiet, a change from Harlem."

He said he feels that most Puerto Rican newcomers' troubles in New York are due to unfamiliarity with English.

"If your next-door neighbor doesn't speak your language, you're in a lot of trouble. Or if you can't go to the grocery store and let the clerk know what you want..."

Another Puerto Rican family that has made a successful adjustment here is that of Mr. and Mrs. William Arana and their children, Wilma, 16, Yvonne, 9, and Randy, 8. The parents moved to New York more than a decade ago and the family is now settled in the new, well-kept Audubon Houses, a city housing project near the Polo Grounds.

## Trained Technician

It's an attractive, tastefully furnished apartment full of green plants and flowers which Emma Arana cultivates as a hobby. A baby grand piano stands at one end of the living room and both girls are taking lessons.

Arana is a trained dental technician now but he was a skilled workman when he came here

from Puerto Rico. "To get ahead here," he observed, "the migrant should know English and know a trade. He should be skilled. I never had any trouble."

"But I'm always looking ahead," he added. "I learned there were good opportunities for dental technicians and I decided to return to Puerto Rico and learn that work. We came back to New York, looked in the phone book and found the address of a laboratory. I've been working their five years. It's a nice trade and not too hard."

Natives of Puerto Rico are to be found in all facets of New York's business and professional life today. They are policemen and welfare workers, teachers and social workers, office workers and businessmen, doctors and lawyers. One of them, 33-year-old Herman Badillo, has become the city's first Puerto Rican commissioner—the Commissioner of Re-location.

## Mayor Comments

Mayor Robert F. Wagner commented to this newspaper: "The history of New York City is to be seen in the successful integration into our population of wave after wave of newcomers. ... As have the other groups before, the Puerto Ricans are fast finding their place in our city in all areas of our city's life."

Joseph Monserrat, chief of the migration division of the Commonwealth's Department of Labor here, said recently that the city's Puerto Rican population is beginning to do in one generation what it took other groups two and three generations to do.



Mr. and Mrs. William Arana and son, Randy, 8, watch proudly as daughters Wilma, 16 (left) and Yvonne, 9, play the piano in their pleasant Audubon Houses apartment.

**TOMORROW: Problems of Education**  
The language barrier and lack of proper counseling form pitfalls in the path of Puerto Rican youngsters.

# 1,500 Label 'Shock Troops' To Spark Big N'East Rallies

Close to 1,500 Northeast Department union label "shock troops" are scheduled to assemble at three major area meetings this month to ensure implementation of stepped-up label promotion activities initiated by the new head of the ILGWU Union Label Department.

The new director, Min L. Matheson, has been invited to speak at each of the rallies, which are slated for the following dates:

**Boston:** June 6, at the Hotel Statler, with Vice Pres. Philip Kramer, manager of the Boston Joint Board and Vice Pres. David Gingold, Northeast Department director, as hosts, and General Secretary-Treasurer Louis Stulberg the keynote speaker.

At this session, more than 300 from the Northern and Southern New England Districts of the Northeast Department and about 180 from the Boston Joint Board will unfold a program for label activities covering the metropolis, Northern New England, Western Massachusetts, Rhode Island, Fall

River and New Bedford.

**Reading:** June 11, with close to 500 label activists expected from that city plus Central Pennsylvania, Allentown, Easton and Pottsville areas. Keynoting the gathering will be Vice Pres. Gingold, with Northeast Assistant Director Sol Chaikin chairing the session.

**Hartford:** June 12, with some 500 representatives present from that district as well as Wilkes-Barre, Pittsford, Shamokin, and Scranton. Chaikin will be keynote.

Taking part in the deliberations will be members of the vast network of rank and file label representatives from each shop in the respective areas, who are charged

specifically with seeing to it that the union label is sewed in—and in the proper place—and generally to act as "spark plugs" for promoting the label through promotion campaigns where they live and work that include leaflet distributions, committees to visit retailers and buyers, speaking before women's clubs, PTAs, church groups, etc.

Prior to the meetings of the larger gatherings, Gingold and Chaikin will confer with area organizing staffs to discuss how unionizing efforts can best be integrated with label promotion.

All states recognize a married woman's capacity to contract her personal services outside the home. Married women generally have control of their own earnings; however, in four states, a wife's earnings are under the complete control of her husband.

## Eastern Region Pins Longest L.I. Holdout

The oldest non-union holdout on Long Island became the newest member of the ILGWU last month when I. Baker & Son, sportswear producers of Bohemia, penned a first-time agreement, reports Vice Pres. Edward Kramer, general manager of the Eastern Region.

### '48' Chorus to Perform in Chelsea Park June 10

The well known choral group composed of members of Italian Cloakmakers' Local 48 will perform on June 10 at 8:15 P.M. in Chelsea Park, which is located on West 28 Street between 10th and 11th Avenues, Manhattan, reports Vice Pres. E. Howard Molisani, local manager.

Under the direction of maestro Theodore Gargiulo, the Local 48 Chorus will participate in a program entitled "Live Music for Millions," sponsored by the New York City Department of Parks with the cooperation of Local 802, the musicians' union. The musical is open to the public without charge.

The shop had held out against unionization for 28 years, according to Suffolk County Local 107 Manager Ed Banyat.

The pact nets the 25 workers an across-the-board wage increase of 10 cents an hour. The entire shop is on a time-work basis.

Other gains in the compact include 6½% guaranteed paid holidays where before there were none, and employer contributions to the health and welfare, retirement and severance funds. All these benefits represent firsts for the workers.

The number of workers who are college graduates has risen especially fast in the past 10 years—from 7.9 percent in 1932 to 11 percent in 1942.

## THE 'QUIET' PLOT AGAINST THE PEOPLE

# A Tale of 3 Amendments

A QUIET BATTLE OF THE greatest significance is being waged in many of our state legislatures of which the general public has been almost completely unaware. For the past few months a drive has been conducted throughout the country which, if successful, could give the state legislatures of smaller states the power to overturn the balance of power between state and federal governments and effect the most radical governmental changes in our history.

The drive, under the direction of conservative, rural elements, is seeking to push through state legislatures 3 amendments to the U.S. Constitution which would have the effect of allowing the states to bypass Congress when they wished to amend the Constitution, would give each state legislature the power to apportion itself as it saw fit and would subordinate the Supreme Court to a "supercourt" of state judges.

These amendments could be used to strip the President and Congress of most of their power, nullify liberal legislation of the past 30 years, or gerrymander state districts so that Negroes would effectively be deprived of the right to vote.

In less than 5 months of concerted behind-the-scenes efforts, 2 of the amendments have been pushed through one-third of the state legislatures necessary for the calling of a constitutional convention. All this was done with hardly a voice being raised in protest.

**THE FIRST OF THE PROPOSED** constitutional amendments would provide that nothing in the Constitution "shall restrict or limit any state in the apportionment of representation in its legislature." It also says that no federal court shall have the power to hear any apportionment case.

This proposal would give the states a free hand in apportioning their legislative districts. It would also wipe out the Supreme Court's historic ruling of last year in the Tennessee apportionment case which held that legislative districts were subject to judicial scrutiny and had to meet constitutional standards of fairness.

The dangers embodied in this proposal are illustrated by the fact that any state could redistrict its legislature so that only property owners might vote, if the new procedure were approved. Another state could take the vote away from Negroes simply by gerrymandering state districts so that Negro voters would be outnumbered in all districts. This scheme was attempted by the Alabama legislature a few years ago but was overturned by the Supreme Court.

**THE SECOND PROPOSED** amendment would allow the states to amend the Constitution without obtaining the approval of Congress or of a constitutional convention, as is now required. Two-thirds of the state legislatures could propose any amendment and then three-fourths would be necessary for adoption, if the proposal were passed.

(There are at present two methods of proposing constitutional amendments. Two-thirds of each House of Congress can propose an amendment. A second method—and one which has never successfully been invoked—is for two-thirds of the state legislatures to petition Congress for a Constitutional Convention. In either case, in order for the proposals to become amendments, they must be ratified by three-quarters of the states.)

The pitfalls involved in this second proposal have been pointed out by David Wells, ILGWU Political Department assistant director who explained that the two-thirds, or 38 least populated states which could, under the new procedure, propose a constitutional amendment, have about 32 percent of the country's population.

Because of unequal districts, it is possible for 38 percent of each of these state's voters to elect a majority in the more representative house of the state legislatures.

Therefore 38 percent of this 32 percent of our population, or 12 percent of the total population, would be sufficient to propose a constitutional amendment. Using the same reasoning, state legislators representing only 18 percent of the U.S.

population could amend the constitution.

"Thus the unrepresentative state legislatures, controlled by rural minorities, would be in a position to alter the whole framework of American government. Tremendous new authority would be placed in the hands of the state legislatures—the least representative, and generally the most reactionary bodies in our entire governmental system."

Once the states had this power, nothing could stop them from amending the Constitution, taking from Congress the power to legislate in the fields of old age pensions, unemployment insurance, labor relations, wages and hours or any other field.

**THE THIRD OF THE PROPOSED** amendments would set up a so-called "Court of the Union" to review and overturn Supreme Court decisions on federal-state matters. It would be made up of the chief justices of the 50 states.

After less than 5 months of quietly efficient work by a group of powerfully placed state legislators, with little publicity or public discussion, 12 state legislatures have approved the first of the proposed amendments, 11 have approved the second, and 3, the third. Thus, without the American public being aware of what was happening, a movement advocating the most radical changes in our form of government has made significant headway.

**AS THE DRIVE GAINS MOMENTUM**, many people are wondering what the motivation is for this campaign to subordinate the federal government to the states.

The movement seems to derive much of its power from rural and conservative forces who stand to be "reapportioned" right out of power if the Supreme Court apportionment ruling is enforced in their districts. Legislators from some urban districts with declining populations are also involved in the drive.

In the name of the "Council of State Governments," this group began working in January in the hope of gaining enough support in the

state legislatures to invoke the amending procedure never before used—two-thirds of the states (34) petitioning for a constitutional convention, three-fourths (38) ratifying the amendments.

**IT WAS NOT UNTIL CLOSE TO** a dozen states had approved one or more of the amendments that the campaign was thrust into the public limelight. In recent months, prominent organizations and public figures have spoken out strongly against the proposals. At its meeting in St. Louis last month, the AFL-CIO Executive Council charged that the changes would "subvert the sovereignty" of the U.S. and implement the political and economic program of reactionary elements.

The council called on all unions and AFL-CIO state central bodies to be fully aware of the dangers embodied in the amendments and "oppose them with their full strength." Liberal state leaders are now beginning to mobilize their forces in opposition to the ultra-conservative measures. The greatest defeat the proposals have suffered came last week when the New Jersey Senate recalled a previously passed resolution supporting the curbs on the federal government in state apportionment and the proposal for amending the constitution without consulting Congress.

Immediately afterward, a leading member of the Ohio state legislature announced that he had changed his mind and would vote against the proposals thus dimming prospects for their passage in that state.

Nonetheless, though the conservative drive temporarily has stalled, a real danger arises from the fact that the general public is still largely unaware of the radical changes embodied in these proposals and the extent of the progress the ultra-conservative forces have made. Few people are aware of the fact that these amendments, in the words of Prof. Charles L. Black of the Yale Law School, "aim at the subversion of that balance in federal-state relations which has enabled us to escape the evils of despotism and totalitarianism."



## CUTTERS COLUMN

## As Cutters Won Case



Official (left) of New York State Commission for Human Rights talks with (left to right) Abe Dolgen, assistant manager, and Vice Pres. Moe Fakimen, manager of Local 10 (seated) and union attorneys Emil Schlesinger and Benjamin Schlesinger as commission agreed in joint stipulation to dropping of charge of racial discrimination made against cutters' local. (See story on Page 1)

## Judy Bond Knockout Is Goal Of Label's Powerful 'Punch'

With Judy Bond reeling from a series of damaging blows inflicted by the union on the legal front, the ILGWU is putting "more punch" into its nationwide campaign against the struck runaway blouse firm by mobilizing all consumer-retailer efforts under the central direction of the Union Label Department.

Min L. Matheson, department director, announced that John Denaro, new assistant director of the ILGWU Union Label Department, will supervise the "Don't Buy Judy Bond" drive.

At a meeting attended by managers and other officers of New York and New Jersey locals held May 23 at the union's general office, Denaro outlined newly devised tactics and maneuvers whose strategy is aimed at boosting the already significant impact on the sales of the runaway firm which have been steadily declining since the union's appeal drive was put into operation.

He told the group that the ILGWU is stepping up its "Don't Buy Judy Bond" cam-

paign by throwing all its vigor and resources into the fight until the firm finally "throws in the sponge" and returns to the union fold. He noted that strategy plans and greater quantities of literature for distribution to consumers had been forwarded to locals throughout the country.

In the newly-planned tactics for intensifying the nationwide "blitz" campaign, ever-increasing contingents of ILGers throughout the country, manning posts outside retail stores selling Judy Bond blouses in major cities, towns and hamlets, will distribute a barrage of leaflets to consumers urging them not to buy the struck firm's product.

(Continued from Page 3)

brook no interference from ILG or its adherents."

In a number of extraordinary comments, the trial examiner openly questions the truth of statements made by the firm and by United Garment witnesses at the hearings conducted by him. Referring to the witnesses called in its defense by Judy Bond, the examiner says: "The demeanor of these witnesses while testifying convinces me not only that their testimony is untrue but that in many respects the true facts are the opposite of the testimony they gave."

### UGW Condemned

He is also stern in condemning the action of adherents and officers of the United Garment outfit. He concludes from "the demeanor of the witnesses" that the president and other officers of UGW stood by during the physical eviction of the 10 workers "without a word or act of disapproval" even though it claims to be the collective bargaining representative of all the workers.

The Executive Council of the AFL-CIO last year used the labor movement's internal disputes machinery for the first time in branding as strikebreaking the agreement surreptitiously made between United Garment and Judy Bond. It found that the pact, which also provides a so-called union label, has wage and welfare terms far inferior to those that are standard in ILGWU contracts. The AFL-CIO approved an ILGWU organizing drive at Brewton despite the UGW contract.

The nature of the United Garment outfit's opposition to the ILGWU is clear in the order given by the NLRB officer. This directs UGW to stop electing or trying to elect or in any way threatening with physical harm employees at Brewton Fashions.

### Order Posted

The full meaning of non-union, anti-ILGWU strikebreaking by Judy Bond is spelled out in the notice which the company is to post. It says in part:

"WE WILL NOT threaten our employees with discharge, if they engage in union activity on our

premises during nonworking time. "WE WILL NOT threaten our employees with discharge or other disciplinary action for wearing in our plant the pins, buttons, or other insignia of the ILGWU or any other union."

"WE WILL NOT threaten to close or reduce the volume of work available at this plant, if our employees join or give assistance to the ILGWU or any other labor organization."

"WE WILL NOT prohibit our employees from having union literature in their possession while on our premises, but we reserve the right to prohibit the distribution of union literature in the work areas of our plant, or during working hours."

"WE WILL NOT coercively interrogate our employees as to their membership in, views about, or activities on behalf of the ILGWU or any other labor organization; directly or by implication promise benefits to any employee for withholding assistance and support from the ILGWU or any other labor organization; or threaten reprisal against any employee for giving assistance or support to the ILGWU or any other labor organization."

"WE WILL NOT assist or contribute support to UGW Local 422, failing to use all reasonable and appropriate measures necessary to prevent supporters of said Local 422 from evicting

employees from our Brewton plant because of their membership in, or support or assistance to a labor organization other than said Local 422; or by promulgating or enforcing a rule or regulation prohibiting union activity among our employees to aid one labor organization to defeat or impede the organizational efforts of another."

"WE WILL NOT discharge, lay off, fail to recall or rehire any employee, or in any other manner discriminate against any employee in regard to the hire, tenure, or any term or condition of employment, to encourage membership in UNITED GARMENT WORKERS OF AMERICA, or to discourage membership in INTERNATIONAL LADIES' GARMENT WORKERS' UNION, AFL-CIO, or any other labor organization."

"WE WILL NOT in any manner interfere with, restrain, or coerce our employees in the exercise of their right to self-organization, to form labor organizations, to join or assist the ILGWU or any other labor organization, to bargain collectively through representatives of their own choosing, or to engage in other concerted activities for the purpose of mutual aid or protection, as guaranteed by the National Labor Relations Act, as amended, or to refrain from any and all such activities."

## MAKE VACATION PLANS NOW

Vacations are coming up and the time for ILGers to do something about it is NOW. The perfect place to go—and at special rate for union members—is UNITY HOUSE. Located in the cool Pocono Mountains of Pennsylvania, the ILGWU's summer resort is a 1000-acre woodland paradise providing every imaginable facility for land and water sports and indoor and outdoor games. Star-studded entertainment is featured in the resort's modern theatre. It has the tops in accommodations, food, health club and other vacation wants.

So, make your reservations NOW while accommodations are still available for the coming months. Register now at Unity House office, 275 Seventh Ave., 10th floor, from 9 A.M. to 6 P.M.

## Full Text of Joint Stipulation Ending Anti-ILGWU Case

Text of the joint stipulation signed May 17 by Ernest Holmes, the attorney for the New York State Commission for Human Rights, and the lawyer for Local 10, ILGWU:

WHEREAS, complainant on April 4, 1961, filed a complaint against the Union, charging it with discrimination against him because of his race, and

WHEREAS, on June 28, 1961, Commissioner Ruperto Ruiz issued a determination of probable cause which the undersigned concedes does not constitute a final determination of guilt, and

WHEREAS, complainant on March 29, 1963, amended his complaint and in addition to charging the Union with discrimination against him because of his race also charged the Union with maintaining a policy of limiting the number of Negroes admitted to membership therein, and

WHEREAS, the Union duly filed its answer April 10, 1963 to the amended complaint, in which it categorically denied that it ever discriminated against the complainant because of his race, and further categorically denied that it maintained or maintains a policy limiting the number of Negroes to be admitted to membership in the Union, and

WHEREAS, on March 29, 1963, a public hearing before three Commissioners of the State Commission for Human Rights was ordered for May 15, 1963, and

WHEREAS, the public hearing has proceeded since May 15, 1963, during which time only one witness, the complainant, has been heard but not fully cross-examined, and

WHEREAS, the Commission's General Counsel has indicated that the Commission intends to call at least three other witnesses in support of this complaint, and the Union by affidavit hereto attached has represented that as of early May 1963 there were more than 250 Negroes and Spanish speaking cutters who are members in good standing of Local 10, and counsel for the Union has indicated that he intends to call practically all of these Negro and Puerto Rican members of Local 10 to refute and negate the charges that the Union maintained and still maintains a policy of limiting their number for admission into the Union and some additional 20 witnesses to refute and

negate the charges that the Union discriminated against complainant in his employment or membership in the Union because of his race, most of which witnesses appeared in the hearing room during the first day of the hearing, and

WHEREAS, the undersigned agree that no inference shall be drawn in this case from the number of Negro and Puerto Rican members of the Union as compared with the total membership of the Union as set forth in the attached affidavit, that there is any practice, policy or rule of the Union to limit the number of Negroes and Puerto Ricans who may be admitted to membership in the Union, and

WHEREAS, the results which the undersigned believe the Commission desires to achieve through these proceedings are the elimination and prevention of discrimination, if such should exist, and an equal opportunity for the complainant on the same basis as the Union extends to all others to learn the cutters trade and gain admission to membership in the Union as and when he becomes a qualified cutter and becomes eligible for membership in the Union, and

WHEREAS, the complainant has heretofore on February 7, 1963, voluntarily expressed his desire in writing to withdraw the complaint which he filed herein, and in his letter of withdrawal stated that when he appeared on or about January 21, 1963 at the Union office for its aid and help it was offered to him but that he declined the same because he had other and more remunerative employment, and

WHEREAS, the complainant has since lost such other employment and desires to accept whatever assistance that Union may be able to afford him, NOW THEREFORE, the Union agrees, in line with its oft-asserted regular and general policy as adopted by Conventions of the International Ladies' Garment Workers Union from its very inception against discrimination of any person because of his race, creed, color, or national origin, that it will, on the same basis as it applies to all other applicants for admission to membership, exercise its good offices in assisting the complainant to become a qualified cutter and to gain admission to membership in the Union as and when he becomes a qualified cutter and becomes eligible for membership in the Union.

# JUSTICE

INTERNATIONAL LADIES' GARMENT WORKERS' UNION

## EDITORIAL PAGE



### Investigate This Shameful Spectacle!

(Continued from Front Page)

crimination of any person because of race, creed, color or national origin, (Local 10) will, on the same basis as it applies to all other applicants for admission to membership, exercise its good offices in assisting the complainant to become a qualified cutter and to gain admission to membership in the union as and when he becomes a qualified cutter and becomes eligible for membership in the union." (Full text of joint stipulation on Page 11).

WITH THEIR JOINT WITHDRAWAL of the complaint, Holmes and the commission lawyers declare that Local 10 is not guilty of the charges.

The unavoidable question is: If it took the union attorney one day of cross-questioning to get Holmes to admit he is not yet a cutter and the commission lawyers to agree, why couldn't the commission's investigating commissioner discover this fact—absolutely crucial to the case—in 2 years of probing?

Why, instead, was the shameful charge besmirching the union kept alive while the plea for a public hearing was brushed aside?

How could the commission's experts, investigators, lawyers, specialists and investigation commissioner believe and accept during so many months the allegation by Holmes that without a single day of previous experience in the industry, without a single hour of schooling as a cutter, without ever having seen the inside of a garment shop before August 17, 1960, he was hired that day by Primrose Foundations, Inc. as a spreader and only 3 weeks later became, as Holmes claimed, a qualified cutter?

Was this the result of ignorance or professional incompetence? Who was guilty of instigating and tolerating such irresponsible conduct?

#### WAS IT ERNEST HOLMES?

As contradictions piled up around him and his memory faded, Holmes presented a pathetic picture. It became clear that Holmes had been victimized by one who has sought to build a career by besmirching our union and the labor movement and who had drafted the original complaint and guided Holmes through the entire proceeding until the very last moment. Clearly he had also been misled by lawyers with a vested interest in victory rather than truth. Holmes desperately told the three commissioners conducting the hearing that he had many personal problems.

He has. On the day the hearing started one of them was how to sustain his charges against Local 10 while 200 contradictions sat in the same room with him proving the contrary.

#### WAS IT THE COMMISSION'S LAWYERS and staff?

The most charitable view of their work is that it was a sloppy portrait of Holmes as a qualified but wronged cutter.

They seemed chronically unable to get the facts straight to the public. When Investigating Commissioner Ruiz, after 15 months of investigating, first found on June 28, 1962, "probable cause" to credit the charge against the ILGWU affiliate, they helped pass this on to the public as a finding of guilty as charged.

They tried it again on May 17, 1963. After withdrawing their complaint they authorized their public relations spokesman to state to the press that the stipulation of withdrawal was not "a finding of guilt or non-guilt."

We challenge anyone to unravel that kind of nonsense.

Either this union was guilty or it was not. If it was, the commission had no right to withdraw the complaint against it, thus dropping the case. By doing so, it acknowledged that the union was not guilty and that the commission had no case.

WHAT ABOUT THAT Investigating Commissioner—Ruperto Ruiz? Following is part of his astounding record in this case:

Despite 15 months of "expert" probing, and with the power to subpoena, he was unable to discover that Holmes wasn't even a cutter and that Local 10 had no policy of racial discrimination.

He issued his findings of "probable cause" on June 28, 1962 without observing the fundamental concepts of due process of law. No attempt was made to take sworn statements from Holmes or any of his witnesses, nor was the union given the right to confront them or cross-examine them under oath. It was the procedure of a kangaroo court.

Twice—on June 28, 1962 and again on September 21, 1962—he violated the law by disclosing to the press the terms which he laid down for Local 10 to purge itself of the charges made against it. Despite a warning by the union's attorney in July 1962 that this was a breach of the statute creating the commission and its rules, Ruiz repeated his illegal conduct in September, 1962.

He continuously delayed for 9 months the decision to grant the union a public hearing where it would be given the opportunity to state its side of the case.

On March 29, 1963—2 years after filing the original complaint and

9 months after the first finding of "probable cause"—Holmes filed an entirely new, amended complaint. On the same day—March 29, 1963—Investigating Commissioner Ruiz issued a statement that he had investigated the amended complaint and had found "probable cause" to credit Holmes' charges. On the same day—March 29, 1963—Commission Chairman George H. Fowler ordered a public hearing on the amended complaint to be held May 15, 1963.

By the commission's own rules, when Ruiz issued his decision of "probable cause" on the amended complaint on March 29, 1963 he ceased to exist as investigating commissioner.

However, 2 weeks later, on April 11, 1963, he issued—as Investigating Commissioner—a subpoena to Manager Moe Falikman directing him to produce within a few days voluminous records of Local 10 membership. He stressed that these records—all of which he could have subpoenaed during the previous 2 years but didn't—were essential for his investigation.

What investigation?

Certainly not the investigation that led to the determination of "probable cause" on March 29. Ruiz had certified that he had completed that investigation.

In truth, he had never made it. It was not possible that an amended complaint entirely different from the one filed by Holmes originally on April 4, 1961 could be signed by him on March 29, 1963 and that an investigation of the new complaint could have been made in a few hours in time to enable Chairman Fowler, on the same day, to set May 15 as the date for a public hearing on the amended complaint. What a peculiar combination of acts by individuals charged by the Governor with administering important machinery for rendering justice and fair play!

Local 10 moved promptly in the New York State Supreme Court to quash the subpoena served on Manager Falikman. In granting the union's motion, Judge Thomas A. Aurelio issued a reprimand in which he declared that "the time for investigation has passed as well as perchance the appropriate time for decision."

#### WHAT ABOUT THE COMMISSION'S chairman?

Various conferences were held with the commission's chairman in which mutually satisfactory decisions on procedure were made. For reasons only he can provide he subsequently failed to live up to them.

When the union's attorney accused Ruiz of bias and prejudice as evidenced in his illegal disclosure of conciliation efforts and terms, Ruiz judged himself and decided in October 1962 that he wasn't. When the ILGWU lawyer then appealed to Chairman Fowler to remove Ruiz from the case, it took him a leisurely month to refuse to do so with reasons based on his own misreading of the law.

In every twist and turn of negotiated efforts to settle this case Chairman Fowler and his deputies first "cleared" with the one who helped Holmes draft the original complaint.

That individual sat through the 3 days of the public hearing, watching his puppets perform, even briefing Holmes during a recess in the cross-examination. Last summer, as an "expert" for a Congressional subcommittee, this person asserted that the Holmes case was basic to the Congressional investigation of the ILGWU. Later, in a television broadcast, he asserted that Local 10 had been found guilty of racial discrimination and the National Broadcasting Company made public apology for this. By that time, under threat of being himself investigated on a conflict of interest charge, he had quit as the committee's "expert." By that time he had also wrecked the public career of the chairman of that Congressional subcommittee.

WITH ITS DELAYS, illegal public statements, prejudice, incompetence and procedures contrary to due process of law the state commission made itself a willing tool in a conspiracy seeking to besmirch and discredit the ILGWU and to create, through false accusations, dissension in the ranks of this union of many minorities, a union which with its traditional equal rights and mutual respect has been and still is the pride of the community and of the labor movement.

Fortunately they failed in this as they failed also in their attempt to set back the efforts of the organized labor movement in general and our union in particular to advance the cause of equal rights for all citizens of this nation.

We are grateful that the 3 commissioners who conducted the public hearing—J. Edward Conway, presiding, Francis X. Giaccone and Lloyd L. Hurst—quickly recognized the lack of merit in the complaint and speedily brought this sorry spectacle to an end. However, the manner in which this case was handled warrants an investigation by the Governor or the legislature of New York State into the conduct in this instance of the commission's chairman, investigating commissioner and chief counsel.